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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ARTURO RICO PEREZ,

Petitioner,

vs.

ZAIRA ALEJANDRA CARRASCO SAENZ,

Respondent.

Case No.:
2:16-cv-01280-GMN-CWH

STIPULATION AND ORDER

Petitioner, Arturo Rico Perez (“Arturo”), by and through his attorneys, Marshal S. Willick, Esq., and Lorien K. Cole, Esq., of the WILICK LAW GROUP, and Respondent, Zaira Alejandra Carrasco Saenz (“Zaira”), represented by Ilan Acherman, Esq., of ACHERMAN LAW hereby stipulate and agree as follows:

1. The Parties agree that pursuant to Local Rule IB 3-2(a), Respondent has the right to object to the Magistrate Judge’s Recommendations as filed on August 24, 2016. **SPANISH:** Ambos acuerdan que en virtud del Local regla IB 3-2(a), la demandada tiene derecho a oponerse a las recomendaciones del juez magistrado presentada el día 24 de agosto de 2016.

2. The Parties further agree that either party would have the right to appeal any determination following any objection to the Magistrate's Recommendations.
SPANISH: Ambos acuerdan que cualquiera de las padres tendría derecho a apelar cualquier determinación después de objeciones a las recomendaciones del magistrado.
3. The Parties further agree that the Petitioner would have the right to file a Motion for Attorney's Fees and Reimbursement of Travel Costs in this case.
SPANISH: Ambos acuerdan que el demandante tendría derecho a presentar una petición para el reembolso de los gastos de viaje y honorarios de abogado en este caso.
4. The Parties further agree that Respondent will waive her rights to object to the Magistrate Judge's Recommendations filed on August 24, 2016. **SPANISH:** Ambos acuerdan que la demandada renunciará a sus derechos a las recomendaciones del juez magistrado presentadas el día 24 de agosto de 2016.
5. The Parties further agree that they will both waive their right to appeal any determination following any objection to the Magistrate's Recommendations.
SPANISH: Ambos acuerdan que ellos renunciarán su derecho de apelar cualquier determinación después de objeciones a las recomendaciones del magistrado.
6. That in consideration for Respondent waiving her rights to object to the Magistrate's Recommendations, and in consideration for the Respondent waiving her right to an appeal on any decision by the Court, the Petitioner shall waive his right to request attorney's fees against the Respondent in this case.
SPANISH: Que en consideración de la renuncia a su derecho a oponerse a las recomendaciones del magistrado por parte de la demandada y en consideración de la renuncia a su derecho a apelar a cualquier decisión de la corte por parte de la demandada, el demandante deberá renunciar a su derecho a solicitar honorarios contra la demandada en este caso.

- 1 7. That Respondent and the Petitioner met at the WILLICK LAW GROUP on Friday,
2 September 2, 2016, to return the child to Petitioner's custody; **SPANISH:** Que
3 la demandada y demandante se reunirán con el grupo Willick Law Group el
4 viernes, 2 de Septiembre de 2016, para devolver la niña a la custodia del
5 demandante;
- 6 8. That with the child having been returned to Petitioner's custody, and all
7 necessary arrangements having been made for the return of the child to
8 Mexico, that no further hearings in this case are necessary and the same should
9 be vacated. **SPANISH:** Ahora que la niña se le a regresado a la custodia de el
10 demandante y todos los trámites necesarios se an hecho para el regreso de la
11 niña a México, no hay más audiencias necesarias en este caso y el caso se
12 cerrara.
- 13 9. That the parties entered into a variety of other agreements attendant to their
14 direct discussions and negotiations, which they held personally and without the
15 advice of counsel on either side. Since the federal court is not a custody or
16 support court, and has no jurisdiction over those subjects, it cannot enter orders
17 relating to those subjects, but the parties have chosen to memorialize their
18 understandings and agreements for the purpose of having them entered as
19 orders by a court of competent jurisdiction:
 - 20 a. That neither party will pay the other child support. **SPANISH:** que
21 ninguna de las partes pagará manutención para la niña.
 - 22 b. That the Petitioner is granted primary custody of the child and he will
23 be authorized to retrieve the child's Visa in order for travel with the
24 child. **SPANISH:** Que se le otorga la custodia primaria de la niña a el
25 demandante y se le da la autorización a el demandante de recuperar la
26 Visa de la niña para poder viajar con la niña.
 - 27 c. That the child shall reside with the Petitioner in Mexico. **SPANISH:**
28 Que la niña va a vivir con el demandante en México.

- d. That the parties are responsible for the child, when the child is in their custody. **SPANISH:** Que ambos son responsables por la niña, cuando la niña este en su custodia.
- e. That Petitioner will present the child to the Mexican court so that civil case against the Respondent will be dismissed. **SPANISH:** Que el demandante presentará al la niña a la corte de justicia para que el caso civil contra la demandada se cierre.
- f. That the parties shall not speak poorly about one another to the child. **SPANISH:** Que ambos no hablaran mal de hambos padres a la niña.
- g. That Respondent will have visitation with the child in accordance with the school holidays. Specifically, the Respondent will have visitation with the child on Christmas and the Summer break. The Respondent's visitation will commence 3 days after the school break and Petitioner will pick the child up at the Respondent's residence 3 days prior to the commencement of school. The parties agree to exchange Semana Santa (Holy Week) and Christmas. **SPANISH:** Que la demandada tendrá visitas con la niña según las vacaciones escolares. En concreto, la demandada tendrá visitas con la niña en Navidad y en las vacaciones de verano. Visitas de la demandada comenzará 3 días antes de las vacaciones escolares y el demandante recogerá al la niña en la residencia de la demandada 3 días antes del comienzo de la escuela. Las partes pueden acordar intercambiar Navidad y Semana Santa.
- h. That the Respondent will have open and unrestricted phone and video communication with the child. **SPANISH:** Que la demandada tendra comunicación por teléfono y video libre y sin restricciones con la niña.
- i. That the Petitioner shall notify the Respondent of changes to his telephone number. **SPANISH:** Que el demandante notificará

inmediatamente a la demandada de cualquier cambio de su número de teléfono.

- j. That the Respondent's immediate family may visit with the child at the Respondent's residence. **SPANISH:** La familia directa de la demandada tendra visitas con la niña en la residencia de el demandante.
- k. That the Respondent will be allowed more visitation with the child, in Mexico, upon her adjusting her immigration status. **SPANISH:** Areglando su estado legal, se le permitira a la demandada mas visitas con la niña en Mexico.
- l. That the child will be picked up and dropped off at the same location. **SPANISH:** En donde se entrega a la niña, se recoge a la niña.
- m. That once the civil case against the Respondent, in Mexico, is dismissed, the Petitioner shall provide the Respondent with certified copies of the dismissal and her Mexican passport. **SPANISH:** Que una vez que el caso civil contra la demandada, en México, este despedido, el demandante deberá presentar a la demandada, copias certificadas de los despidos y el pasaporte Mexicano de la demandada.

DATED this 2nd day of September, 2016.

WILICK LAW GROUP


ACHERMAN LAW GROUP

/s/ Ilan Acherman

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Arturo Rico Perez, Petitioner


Zaira Alejandra Carrasco Saenz,
Respondent

ORDER

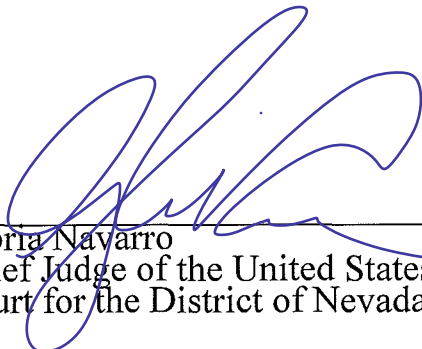
IT IS HEREBY ORDERED that neither party shall file an objection to the Master's Recommendations and that the Recommendations shall be entered by the Court, to the extent they are consistent with this Agreement.

IT IS FURTHER ORDERED that neither party shall appeal any orders in this case or file any further motions or moving papers in the case.

IT IS FURTHER ORDERED that with the child having been returned to Petitioner's custody, and all necessary arrangements having been made for the return of the child to Mexico, that no further hearings in this case are necessary and the same should be vacated.

IT IS FURTHER ORDERED that the case shall be closed upon the filing of this Order.

DATED September 8, 2016



Gloria Navarro
Chief Judge of the United States District
Court for the District of Nevada

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